

AMENDMENT TO THE COMMITTEE PRINT
OFFERED BY MS. BALDWIN OF WISCONSIN AND
MRS. WILSON OF NEW MEXICO

Page 13, beginning on line 20, strike paragraph (2) through page 14, line 13, and insert the following:

1 “(2) FEE FOR PUBLIC, EDUCATIONAL, AND
2 GOVERNMENT ACCESS FACILITIES AND SUPPORT
3 AND I-NET SUPPORT.—

4 “(A) A cable operator obtaining a national
5 franchise under this section for a franchise area
6 shall be subject to the requirements of this
7 paragraph in lieu of the public, educational, and
8 governmental access facilities and equipment re-
9 quirements of sections 611(c), 621(a)(4)(B),
10 and 624(b)(1) and (2)(A).

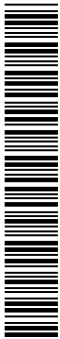
11 “(B) A franchising authority for a fran-
12 chise area shall require a cable operator with a
13 national franchise providing cable service in
14 such franchise area to pay the franchising au-
15 thority annually, in general support of public,
16 educational, and governmental use and institu-
17 tional networks (as such term is defined in sec-
18 tion 611(f)), greater of—



1 “(i) an amount equal to one percent
2 of the cable operator’s annual gross reve-
3 nues (as such term is defined in this sec-
4 tion) in the franchise area; or

5 “(ii) a fee equivalent to the value, on
6 a per subscriber basis, assessed monthly,
7 of all monetary grants or in kind services
8 or facilities for public, educational, or gov-
9 ernmental access channels provided annu-
10 ally by the other cable operator in such
11 franchise area with the most cable service
12 subscribers, pursuant to that other cable
13 operator’s franchise with the franchising
14 authority or other persons as in effect on
15 the date of enactment of this section.

16 “(C) A franchising authority for a fran-
17 chise area may require a cable operator pro-
18 viding cable service in such franchise area to
19 provide to the franchising authority information
20 sufficient to calculate the per subscriber equiva-
21 lent fee allowed by subparagraph (B)(ii). Such
22 information shall be entitled to treatment as
23 confidential and proprietary business informa-
24 tion. The payments made by a cable operator
25 pursuant to subparagraph (B) shall be assessed



1 and collected in a manner consistent with sec-
2 tion 622.

3 “(D) A cable operator that previously held
4 a franchise under section 621 and that obtains
5 a national franchise under this section shall
6 continue to provide any institutional network
7 that the operator was required to provide under
8 such section 621 franchise. Notwithstanding
9 section 621(b)(3)(D), a franchising authority
10 may not require a cable operator franchised
11 under this section to construct a new institu-
12 tional network.

13 “(E) No State statute, regulation, or other
14 State legal requirement may directly or indi-
15 rectly reduce the amount of support required by
16 subparagraph (B).

